

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DUSTIN ANDERSON,

Petitioner,

2:15-cv-02245-RFB-PAL

vs.

ORDER

DWIGHT NEVIN, *et al.*,

Respondents.

In this habeas corpus action, brought by Nevada prisoner Dustin Anderson, the court has appointed counsel for Anderson, and, with counsel, Anderson was due to file a first amended habeas petition by May 9, 2016. *See* Order entered February 5, 2016 (ECF Nos. 7, 8).

On May 9, 2016, Anderson filed a motion for extension of time (ECF No. 10), requesting a 120-day extension of time -- to September 6, 2016 -- to file his first amended petition. Anderson's counsel states that the extension of time is necessary because she only recently moved to the non-capital habeas unit at the Federal Public Defender's office, and because of her obligations in other cases. This is the first extension of this deadline. There is no indication that respondents object. The court finds that Anderson's motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the requested extension of time. The court will grant the extension of time requested by Anderson.

1 The court will also set a schedule for respondents to respond to the amended petition and for
2 further proceedings thereafter.

3 In view of the length of this extension of time, the court will not look favorably upon any
4 motion by Anderson to further extend the time for him to file a first amended petition.

5 **IT IS THEREFORE ORDERED** that petitioner's Motion for an Extension of Time (ECF
6 No. 10) is **GRANTED**. Petitioner shall have until and including September 6, 2016, to file a first
7 amended petition for writ of habeas corpus.

8 **IT IS FURTHER ORDERED** that, after petitioner files his first amended petition for writ
9 of habeas corpus, respondents shall have 90 days to file an answer or other response to the amended
10 petition. If respondents file an answer, petitioner shall then have 60 days to file a reply. If
11 respondents file a motion to dismiss, petitioner shall then have 60 days to file a response to the
12 motion to dismiss, and respondents shall, thereafter, have 30 days to file a reply.

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14 Dated this 12 day of May, 2016.



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16 RICHARD F. BOULWARE, II
17 United States District Judge
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